

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DAVID A. MCDougall,

Plaintiff,

Civil No. 20-1499 (JRT/LIB)

v.

SPECIAL VERDICT

CRC INDUSTRIES, INC.,

Defendant.

We, the Jury in this case, make these answers to the following questions:

Count 1: Strict Products Liability – Defective Design
(Instruction Nos.)

QUESTION 1A: Was CRC Industries, Inc.'s product in a defective condition unreasonably dangerous to users of the product because of CRC Industries, Inc.'s design?

Yes No

QUESTION 1B: If your answer to Question 1A was "Yes," then answer this question: Was that design a direct cause of [David A. McDougall's damages] [the crash that killed Cynthia McDougall]?

Yes No

Count 2: Strict Products Liability – Failure to Warn
(Instruction Nos.)

QUESTION 2A: Was the product in a defective condition unreasonably dangerous to users of the product because CRC Industries, Inc. failed to provide adequate warnings for the safe use of the product?

Yes No

QUESTION 2B: If your answer to Question 2A was “Yes,” then answer this question: Were the inadequate warnings a direct cause of [David A. McDougall’s damages]
[the crash that killed Cynthia McDougall]?

Yes No

Fault
(Instruction Nos.)

QUESTION 3A: Was Cynthia McDougall negligent with respect to her own safety?

Yes No

QUESTION 3B: If your answer to Question 3A was “Yes,” then answer this question: Was Cynthia McDougall’s negligence a direct cause of her own death?

Yes No

QUESTION 4A: Did Kyle Neumiller know that huffing CRC Duster while driving on July 22,

2019 was substantially certain to result in harm?]

Yes No

QUESTION 4B: Was Kyle Neumiller at fault for Cynthia McDougall's death?

Yes No

QUESTION 4C: If your answer to Question 4B was "Yes," then answer this question: Was

Kyle Neumiller's fault a direct cause of Cynthia McDougall's death?

Yes No

(If you answered "Yes" to Question 4A, do not answer Question 5 and instead proceed directly to Question 6.)

QUESTION 5: Taking all of the fault that directly caused Cynthia McDougall's death as

100%, what percentage of fault do you attribute to:

CRC _____

Cynthia McDougall _____

Kyle Neumiller _____

TOTAL: **100%**

(If you answered "No" to Questions 3A or 3B, then your answer in Question 5 should be "0%" as to Cynthia McDougall. If you answered "No" to Questions 4B or 4C, then your answer in Question 5 should be "0%" as to Kyle Neumiller.)

Damages
(Instruction Nos.)

QUESTION 6: What amount of money will fairly and adequately compensate David A. McDougall for the pecuniary loss suffered by him resulting from Cynthia McDougall's death?

\$ _____

YOU HAVE COMPLETED YOUR DELIBERATIONS. PLEASE HAVE THE FOREPERSON SIGN AND DATE THIS FORM BELOW.

FOREPERSON'S SIGNATURE

DATE